

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 03/04/2022

-----X  
TIMOTHY DIRESTA,

Plaintiff,

-v-

BIZ2CREDIT INC. and SHUJAH A. AWAN,

Defendants.  
-----X

21-cv-208 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Plaintiff pro se (who is a lawyer) requests a pre-motion conference or an order compelling further responses by Defendants with respect to their initial disclosures. Dkt. No. 55. The request is denied. Rule 26(a)(1) “affords the disclosing party the option of either providing copies of the documents or describing by category and location all of the documents relevant to the case.” *Coppola v. Bear Stearns & Co. Inc.*, 2005 WL 3159600, at \*7 (N.D.N.Y. Nov. 16, 2005). Defendants permissibly chose the latter option. Plaintiff complains that Defendants failed to produce the actual documents referenced in the initial disclosures, but Rule 26(a) imposed no such obligation on Defendants. Federal Rule of Civil Procedure 37(a)(3) permits a motion to compel disclosure only under specified circumstances, which are not satisfied here. In addition, Plaintiff has not satisfied the procedural requirements of Rule 37(a)(1). The Clerk is respectfully directed to close the motion at Dkt. No. 55.

SO ORDERED.

Dated: March 4, 2022  
New York, New York



LEWIS J. LIMAN  
United States District Judge